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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,316	09/17/2003	Dirk Trossen	042933/267063	4201
826	7590	07/06/2006		
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000				EXAMINER TRAN, TUAN A
				ART UNIT 2618 PAPER NUMBER

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/664,316	TROSSEN ET AL.	
	Examiner Tuan A. Tran	Art Unit 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 April 2006.

2a) This action is **FINAL**.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-42 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-42 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Chadha (2004/0176107).

Regarding claims 8 and 15, Chadha discloses a system for providing a differential location service to a terminal (See figs. 1-2), the system comprising: a service provider 100 capable of receiving a request for a differential location service from the terminal at least partially over a wireless network, the request including a geographic area defined independent of a specific form; and a mapping processor 110 capable of receiving the geographic area from the service terminal 100, wherein the mapping processor is capable of transforming the geographic area of the request to thereby define the geographic area in a predetermined manner, and thereafter sending the geographic area defined in the determined manner to the service provider 100, wherein the service provider 100 is also capable of determining whether to provide the requested differential location service based upon a comparison of a current location of

the terminal and the geographic area defined in the predetermined manner (See figs. 1-2 and page 1 [0014-0017], page 3 [0025-0027]).

Claims 22, 29 and 36 are rejected for the same reasons as set forth in claims 8 and 15, as apparatus.

Claim 1 is rejected for the same reasons as set forth in claims 8 and 15, as method.

Regarding claims 9 and 16, Chadha discloses as cited in claims 8 and 15, Chadha further discloses the service provider 100 is capable of obtaining a current location of the terminal such that the mapping processor 110 can thereafter transform the current location of the terminal to thereby define the current location in the predetermined manner, wherein the service provider 100 is then capable of comparing the current location of the terminal defined in the predetermined manner with the geographic area defined in the predetermined manner, and thereafter determining whether to provide the requested differential location service based upon the comparison (See figs. 1-2 and page 3 [0025-0027]).

Claims 23, 30 and 37 are rejected for the same reasons as set forth in claims 9 and 16, as apparatus.

Claim 2 is rejected for the same reasons as set forth in claims 9 and 16, as method.

Regarding claims 10 and 17, Chadha discloses as cited in claims 8 and 15, Chadha further discloses the request further includes a validity time to subscribe to a differential location service, and wherein the service provider 100 is capable of

determining if the subscription is valid based upon a current time and the validity time, and capable of providing the requested differential location service when the subscription is valid (See page 2 [0017, 0022]).

Claims 24, 31 and 38 are rejected for the same reasons as set forth in claims 10 and 17, as apparatus.

Claim 3 is rejected for the same reasons as set forth in claims 10 and 17, as method.

Regarding claims 11-12 and 18-19, Chadha discloses as cited in claims 8 and 15, Chadha further discloses the request further includes a trigger condition, and wherein the service provider 100 is capable of providing the requested differential location service if, based upon a comparison of a current location of the terminal and the geographic area, the current location of the terminal satisfies the trigger condition, wherein the trigger condition specifies one of “outside” and “inside”, wherein the service provider is capable of providing the requested differential location service if the current location of the terminal is outside the geographic area when the trigger condition specifies “outside”, and capable of providing the requested differential location service if the current location of the terminal is inside the geographic area when the trigger condition specifies “inside” (See page 2 [0017-0018]).

Claims 25-26, 32-33 and 39-40 are rejected for the same reasons as set forth in claims 11-12 and 18-19, as apparatus.

Claims 4-5 are rejected for the same reasons as set forth in claims 11-12 and 18-19, as method.

Regarding claims 13 and 20, Chadha discloses as cited in claims 8 and 15, Chadha further discloses the request further includes an action, and wherein the service provider 100 is capable of determining whether to provide the requested differential location service by determining whether to execute the action based upon a comparison of a current location of the terminal and the geographic area defined in the predetermined manner (See page 2 [0021]).

Claims 27, 34 and 41 are rejected for the same reasons as set forth in claims 13 and 20, as apparatus.

Claim 6 is rejected for the same reasons as set forth in claims 13 and 20, as method.

Regarding claims 14 and 21, Chadha discloses as cited in claims 13 and 20, Chadha further discloses the request further includes a validity time and a trigger condition, wherein the service provider 100 is capable of determining if the subscription is valid based upon a current time and the validity time, and if the subscription is valid, the service provider 100 is capable of obtaining a current location of the terminal such that the mapping processor 110 can thereafter transform the current location of the terminal to thereby define the current location in the predetermined manner, wherein the service provider 100 is then capable of comparing the current location of the terminal defined in the predetermined manner with the geographic area defined in the predetermined manner, and thereafter executing the action if, based upon the comparison, the current location of the terminal satisfies the trigger condition to thereby

provide the requested differential location service (See page 2 [0016-0018, 0022], page 3 [0025-0027]).

Claims 28, 35 and 42 are rejected for the same reasons as set forth in claims 14 and 21, as apparatus.

Claim 7 is rejected for the same reasons as set forth in claims 14-21, as method.

### ***Response to Arguments***

Applicant's arguments filed 04/12/2006 have been fully considered but they are not persuasive.

The Applicant argued that Chadha does not teach or suggest the step of transforming the geographical area in the request to thereby define the geographical area in a predetermined manner and the step of transforming the current location of a terminal to thereby define the current location in the predetermined manner (See Remark, pages 2-4). The Examiner respectfully disagrees with the Applicant's arguments because Chadha does suggest both of the geographical area in the request and the current location of the terminal being transformed to thereby define the geographical area or the current location in the predetermined manner such as spatial coordinates (e.g., longitude/latitude), postal ZIP code, street address, city, state, etc (See page 2 [0016], [0018]) in order to be able to execute a location comparison by the service provider (See page 3 [0026]).

The Applicant argued that Chadha does not teach or suggest a request from a terminal that includes an action and a service provider determining whether to execute the action based on a comparison of a geographical area and the current location of the terminal (See Remark, pages 4-5). The Examiner respectfully disagrees with the Applicant's arguments because Chadha does clearly shows the service provider determining whether to execute the action requested by the terminal (See page 1 [0006], [0014] based on the comparison of the geographical area in the request and the current location of the terminal (See page 1 [0015], page 2 [0017-0018]).

For these above reasons, the rejections are proper and stand for all the pending claims.

### ***Conclusion***

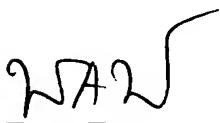
**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Tran whose telephone number is (571) 272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Tuan Tran

  
Matthew D. Anderson  
SPE - 2618